



# IBFAN

defending breastfeeding

## International Baby Food Action Network (IBFAN)

71<sup>st</sup> WHA May 2018

### Agenda Item 11.1 Draft 13th General Programme of Work 2019-2023

As one of WHO's longest-standing public interest partners, IBFAN places great value on WHO's Core constitutional norm-setting functions and its independence, integrity and trustworthiness.

We have appreciated the opportunity to comment on the various drafts of the GWP and are pleased that some of our concerns have been partially addressed, including the need to support breastfeeding and protect WHO's work from conflict of interest and undue influence. However, the GWP still misses IBFAN's over-arching concern about the risks of public-private partnerships.

If WHO and Member States interact with the private sector, it's important to take care with terminology when describing their function. *'Partnerships'* are, by definition, arrangements for *'shared governance'* to achieve *'shared goals.'* Shared decision-making is their single most unifying feature. It is inappropriate for commercial entities that have a fiduciary duty to maximise profits for shareholders to be given a governance or advisory role in matters that concern human rights or public health. Using the term 'partnership' in this context poses a real threat to WHO's lead role in proposing and building the international Rule of Law.

Indeed, Public Private Partnerships are likely to delay and sabotage efforts to adopt laws that protect human rights. Voluntary promises attract much publicity, but unless backed up by regulation can be little more than diversionary public relations - here today and gone tomorrow.

Lastly, the GPW relies on the protection afforded by FENSA that, like the SUN Initiative, uses a faulty concept of Conflict of Interest, confusing conflicts of interest **within** an institution or person with conflicts **between** actors who have diverging or fiduciary duties: in this case WHO's internal conflict between its mandate and prime functions and its secondary interest to be adequately funded. We hope this concept will be corrected in FENSA's evaluation in 2019.

Thank you

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